

Richard Marchitto

05/06/2023

[REDACTED]

[REDACTED]

Tel. [REDACTED]

SEC v. Vuuzle Media Corp.,et al.; Case No.2:21-cv-01226 (D.N.J)

Hon. Katharine S.Haydon, Hon.Cathy L.Waldor And Newark District Court.

I am notifying this court my answer to the letter I received on 04/28/2023 delivered by UPS. I oppose the SEC asking this court to dismiss my motion for Summary Judgement and proposed Default Judgement standing before this court. The reasons are stated set forth below :

1.Marchitto has responded to the Federal rules of Civil procedure and Court orders.By his attorney of record including his personal Tax returns and Vuuzle Media Corp Tax returns. Unfortunately, due to lack of funds could not pay his attorney's fees and was dismissed for this case.

2.However,since May 19,2022, Marchitto has submitted to this court; Convincing evidence to oppose the SEC's pending Default Judgement.This evidence is apart of ther Court's records/.That demonstrates and shows good cause to oppose the SEC's Default Judgement.

3. Rule 56; Does not require that the parties await the close of discovery before submitting a Summary Judgement Motion for decision and the provision certainly does require a court to defer decision on the motion until the parties have engaged in unfettered discovery.

4. Rule 16; "There is nothing in either Massachusetts or requires that a summary Judgement motion await the conclusion of discovery" All submitted documents and evidence by the SEC and the defendant have been entered already to this court and are part of this court's records as required for a decision for Summary Judgement in the defendant's behalf.

5. This court has not finalized its ruling in favor of the SEC's Default Judgement against the Defendant entered 05/19/2022.

6. The defendant's plea to ask this court for Judicial review is his right and part of this court's procedure before any validated ruling is set forth.

7. The Defendant has made a motion for Summary Judgement based on the facts Affadavids already submitted to this court by both parties. There is no need for a trial by direct verdict by this court.

8. The Plaintiffs request for public interest should not supersede investigations and sufficient evaluation of convincing evidence to support the court's decision.

9. "The public interest a motion for Summary Judgement can prevent not only a necessary trial
but also unnecessary discovery"- Weston Patrick.com

UNNECESSARY
IPM

SUMMARY

1. The Plaintiff during the Defendant's Venue in Vuuzle Media Corp. did not produce any convincing evidence that a crime was being committed or that the defendant had any knowledge of a crime. It was never determined by this court a crime was committed by Vuuzle Media Corp. Their attorneys were engaged in the process of litigation to disprove the accusations and Vuuzle Media Corp. was not found guilty by a court trial during the Defendants Venue.

2. The Defendants opposed the SEC's motion for a Default Judgement since 05/19/2022 as seen in the court's records.

3. Marchitto has shown good cause to remove the present motion for Default Motion; With convincing evidence to justify his motion Summary Judgement against the Plaintiff.

4. In the 34 pages of the SEC's complaint I did not see the mention of Marchitto not following The Federal Rules of Civil procedure.

5. It is evident to me and this court the SEC's file complaint lacks merit conving evidence and only illustrates the weakness and fragility of their complaint against the Defendant.

I respectfully request this court to grant the present Summary Judgement in my favor and against
the plaintiff as a matter of law. To dismiss me as the relief defendant with no discouragement and
with prejudice.

DISBURGMENT
R.M.

Sincerely, | DocuSigned by:
Richard Marchitto
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FROM:

RICHARD MARCHITTO

TO:

MARTIN LUTHER KING JR. DGS.
U.S. DISTRICT COURT
50 WATSON ST.
NEWARK, NJ.

07102

ATTN

HON. KATHARINE S. HAYDEN
HON. CATHY L. WALDORF

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9/23

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HON. KATHARINE S. MAYDON
HON. CATHY L. WALDORF AND
NEWARK DISTRICT COURT
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